

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DATE FILED: 10/1/2021

In re:

03-MD-1570 (GBD)(SN)

**TERRORIST ATTACKS ON
SEPTEMBER 11, 2001**

ORDER

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SARAH NETBURN, United States Magistrate Judge:

The Court has received the filings by Kreindler & Kreindler at ECF Nos. 7147 and 7162 addressing the breach of the protective orders.

Kreindler & Kreindler is ORDERED to serve on the parties the Fawcett declaration, ECF No. 7147-11, in full and with no redactions. Kreindler & Kreindler has failed to establish that it is necessary to redact the limited portion to protect a higher interest and the interest of justice requires that it be provided to counsel without redaction. Kreindler & Kreindler is FURTHER ORDERED to file the declaration of Consultant 1, ECF No. 7147-10, with the declarant's name redacted in all instances, and with the first two sentences of the first numbered paragraph redacted. These filings shall be made by October 4, 2021.

In light of Fawcett's second declaration that describes the destruction of documents and evidence, the Court reminds the parties and counsel that once this Court commenced its inquiry, there was a duty to preserve all potentially relevant information. Although the Court assumes the lawyers understand their ethical obligations, out of an abundance of caution, the Court ORDERS that all documents and evidence be preserved and that all devices used to create, transmit, or store those communications be maintained.

Kreindler & Kreindler is directed to provide a copy of this order to Fawcett immediately.

SO ORDERED.

DATED: New York, New York
October 1, 2021



SARAH NETBURN
United States Magistrate Judge